

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING - November 22, 1967

Appeal No. 9419 William M. King, appellant.

The Zoning Administrator of the District of Columbia, appellee.

On motion duly made, seconded and unanimously carried, the following Order was entered at the meeting of the Board on November 30, 1967.

EFFECTIVE DATE OF ORDER - November 26, 1968

ORDERED:

That the appeal of William M. King for a variance from the requirements of Sections 7205.12 and 7205.2 to permit open parking space in front and within 10 feet of dwelling at 4104 Nichols Avenue, N.W., lot 801, Square 6171, be granted.

FINDINGS OF FACT:

1. The property is located in an R-2 District and is improved with a single-family detached dwelling.

2. The property has a frontage of 54.70 feet on an arc on Nichols Avenue, depths of 127.63 and 144.76 feet and a width of 50 feet at the rear lot line. The lot contains an area of 6,956 square feet of land.

3. There is no alley access to this property in that the lot abuts another lot at the rear with frontage on Brandywine Street.

4. Appellant's property is the only one of four houses in this block without off-street parking. These cars are parked within the front yards and less than 10 feet from the dwellings.

5. Appellant proposes to park his automobile partially within the north side yard and less than 10 feet from the building, having a side yard at this location of 14 feet. Topographical conditions prevent parking within the rear yard, and further, there is no alley access from the rear.

6. Appellant will provide a concrete slab within the proposed parking area.

7. Appellant stated at the hearing that he must park on Nichols Avenue, a heavily traveled thoroughfare, and that his car has been hit several times while parked on the street.

8. There was no objection to the granting of this appeal registered at the public hearing.

OPINION:

We are of the opinion that appellant has proven a hardship within the meaning of the variance clause of the regulations and that a denial of the requested relief will result in peculiar and practical difficulties and undue hardship upon the owner. Inasmuch as appellant is unable to provide parking in the rear yard, we are of the opinion that a denial of the requested relief would prevent a reasonable use of the property.

We are further of the opinion that the requested relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map.

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED:

By:

  
CHARLES E. MORGAN  
Secretary of the Board

THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DIRECTOR OF INSPECTIONS WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.